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STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. OSH 2010-35
)	(Inspection No. 313079535)
DIRECTOR, DEPARTMENT OF LABOR)	
AND INDUSTRIAL RELATIONS,)	
)	STIPULATION TO WITHDRAW CITATION
Complainant,)	ISSUED ON OCTOBER 15, 2010; EXHIBIT
)	"A"; APPROVAL AND ORDER
vs.)	
)	
EXCLUSIVE ISLAND ROOFING,)	
)	
Respondent.)	
)	

STIPULATION TO WITHDRAW CITATION ISSUED ON OCTOBER 15, 2010

This Stipulation to Withdraw Citation Issued on October 15, 2010 (hereinafter referred to as "Stipulation") entered into by and between Complainant DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, (hereinafter referred to as "Director") and Respondent EXCLUSIVE ISLAND ROOFING (hereinafter referred to as "Respondent") whose business address is 77-6504 Seaview Circle, Kailua-Kona, Hawaii 96740; and

WHEREAS, on or about April 26, 2010, the Director, by and through the State of Hawaii's Occupational Safety and Health Division ("HIOSH"), inspected the Respondent's workplace located at 68-1053 Pauoa Beach Drive, Kamuela, Hawaii, 96743;

WHEREAS, as a consequence of said inspection, the Director, through HIOSH's Administrator, issued a Citation and Notification of Penalty on October 15, 2010 ("Citation") to the Respondent alleging a violation of the Hawaii Occupational Safety and Health Standards and assessed a penalty of \$375.00, a copy of which is attached as Exhibit A; and .

WHEREAS, Respondent timely contested the Citation; and.

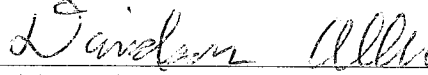
WHEREAS the parties hereto wish to avoid the expense of litigation and to compromise and settle the above-captioned case; and

NOW THEREFORE the parties, by and through their respective representatives, stipulate and agree as follows:

1. The Hawaii Labor Relations Board has jurisdiction over this contested case pursuant to Section 396-11, Hawaii Revised Statutes ("HRS").
2. The Citation issued on October 15, 2010 against Respondent, including the \$375.00 penalty, is withdrawn.
3. This Stipulation shall become a final order of the Director.
4. The Respondent shall post a copy of this Stipulation in a prominent place at or near the location of the posting of the Citation, and the Stipulation shall remain posted for three working days (excluding weekends and State holidays).
5. Upon approval of this Stipulation, all proceedings before the Board shall be dismissed.

DATED: Kailua-Kona, Hawaii May 14, 2011.

EXCLUSIVE ISLAND ROOFING.



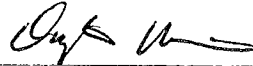
DAVIDSON ALLEN
Its Owner

APPROVED AS TO FORM:

DIRECTOR OF LABOR AND
INDUSTRIAL RELATIONS



LAWRENCE H. NAKANO
Deputy Attorney General
Attorney for Director of Labor and
Industrial Relations, State of Hawaii

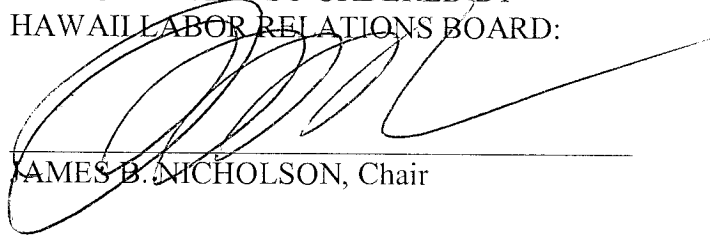


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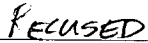
APPROVED AND SO ORDERED BY
HAWAII LABOR RELATIONS BOARD:

ORDER NO. 434

DATED: May 23, 2011



JAMES B. NICHOLSON, Chair



SARAH R. HIRAKAMI, Member



NORMAN K. KATO II, Member